IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

WP(C).No. 2309 of 2004(Y)

PETITIONER:

PULLISSERIPARAMBU POURASAMITHI
PULLISSERIPARAMBU, P.O.MANNUR
KADALUNDI VIA, KOZHIKODE REP.BY ITS SECRETARY
KALLERI MANI S/O.VAIRAVAN, AGED 32,
PULLISSERIPARAMBU HOUSE, PULLISSERI.

BY ADV. SRI.SIVAN MADATHIL.

RESPONDENTS:
----

1. **THAYYIL MUHAMMED HAJI,**
   AGED 71, S/O. BEERANKUTTY HAJI, MANNUR P.O.,
   KADALUNDI VIA. KOZHIKODE.

2. **KADALUNDI GRAMA PANCHAYAT**
   REP.BY ITS SECRETARY, KADALUNDI P.O.KOZHIKODE.

3. **THE REVENUE DIVISIONAL OFFICER,**
   KOZHIKODE.

4. **THE SUB INSPECTOR OF POLICE,**
   FEROKE POLICE STATION, KOZHIKODE.

BY ADV. SRI.AVM.SALAHUDIN FOR R1,
SMT.SMITHA.V.
SRI.P.V.KUNHIKRISHNAN FOR R2,
GOVERNMENT PLEADER SMT. T.B. RAMANI.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.2309/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE REPRESENATION GIVEN TO THE PANCHAYAT DT. 14/03/2002.

EXT.P.2: COPY OF THE STATEMENT FILED BY THE R.1. DT. 03/07/2002.

EXT.P.3: COPY OF THE ORDER DT. 10/10/2003 OF THE R.3.

EXT.P.4: COPY OF THE COMPLAINT MADE TO THE R.3. ON 18/11/2003.

EXT.P.5: COPY OF THE ORDER NO. 3373/03 DT. 22/11/2003 ISSUED BY THE VILLAGE OFFICER, KADALUNDI.

RESPONDENT'S EXHIBIT:

EXT.R1.A: COPY OF THE NOTICE DTD. 12/12/2003 ISSUED BY THE VILLAGE OFFICER, THE R.3. TO THE R.1.

//TRUE COPY//

P.S. TO JUDGE

prv.

THOTTATHIL B. RADHAKRISHNAN, J.

= =

WP(C).No.2309 of 2004-Y

= =

Dated this the 27th day of July, 2007.

JUDGMENT

The statement dated 16-3-2004 filed by the third respondent is recorded. Following the averments therein, this writ petition is disposed of directing that the third respondent will ensure that appropriate orders are passed as and when necessary to secure that there is no removal of mud-earth except in accordance with law.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/